

THE HON'BLE SRI JUSTICE RAMESH

RANGANATHAN

W.P.No. 321 OF 1996

Date: 01.02.1997

Between:

S. Anwar Basha and another.

Petitioners.

And

Government of Andhra Pradesh rep., by the
Commissioner, Co-op.Societies, Hyderabad and two
others.

Respondents.

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ORDER:

The relief sought for in the writ petition is to declare the action of respondents 1 and 2, in authorizing the 3rd respondent to recruit persons in terms of the Circular dated 07.12.1995, as illegal. In the Circular dated 07.12.1995, the first respondent permitted the third respondent to fill up 23 out of the 31 vacant posts subject to the condition that 1). Recruitment to the posts was made through the employment exchange or by inviting applications by notification of such posts in the local papers. 2). That the applications so received should be placed before the Staff Selection committee by observing the rule of reservations, qualifications, age, experience and also follow the provisions of bye-laws and service conditions.

It is the case of the petitioners that when they approached the third respondent, the third respondent refused to receive the applications from them and stated that he would conduct interviews on 20.01.1996. The procedure prescribed for filling up of

vacancies, as stipulated in the proceedings dated 07.12.1995, is fair and reasonable. The third respondent was directed to fill up the posts either by inviting applications from the employment exchange or by way of a notification in the local news papers. Such a prescription cannot be faulted. Accepting the petitioner's contention that the third respondent should have received the applications delivered by them in person, would, on the other hand, result in arbitrariness and manifest injustice. The writ petition as filed is wholly misconceived and is accordingly dismissed. No costs.

Date: 01.02.2007
RANGANATHAN, J

_____ RAMESH

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